

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525**

**MEETING MINUTES
BOARD OF TRUSTEES**

“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken.”

**Thursday, July 9, 2009
7:30 P.M.**

★ CALL TO ORDER - MAYOR RICHARD ANDREWS

The regular scheduled meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, July 9, 2009 at the Municipal Facility, 201 Acacia Drive, and was called to order at 7:30 p.m. by Mayor Richard Andrews. Village Clerk Joseph Consolo called the roll as follows:

★ ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK

PRESENT (AND CONSTITUTING A QUORUM):

Mayor Richard Andrews
Trustee Debbie Anselmo
Trustee Brian T. Bailey
Trustee Anne Bermier
Trustee Carol Coleman
Trustee Norman L. Schnaufer
Trustee Matthew P. Walsh II

ALSO PRESENT:

Frank Alonzo, Chief of Police/Administration
Joseph V. Consolo, Village Clerk
Richard Ramello, Counsel, Storino, Ramello & Durkin
Edward Santen, Water/Public Works Superintendent

NOT PRESENT:

Steve Busa, Treasurer

★ PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Richard Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag:

“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”.

★ **PUBLIC HEARING**

Review of Appropriations Ordinance for the Fiscal Year Beginning May 1, 2009 and ending April 30, 2010.

Mayor Andrews convened the public hearing regarding the appropriations ordinance for fiscal year beginning May 1, 2009 and ending April 30, 2010. Frank Alonzo discussed the items listed in the appropriations ordinance presented to the Village Board for review and approval. He noted that the ordinance sets forth appropriations for general corporate and special purposes for the Village of Indian Head Park for the fiscal year beginning May 1, 2009 and ending April 30, 2010. Frank Alonzo stated that the appropriations ordinance sets the spending limits and authorizes the Board to disperse funds for various expenditures during the fiscal year. He further noted that the budget is also provided to the Board as a guideline. Mayor Andrews stated that the total appropriations for corporate purposes for the fiscal year beginning May 1, 2009 and ending April 30, 2010 is \$4,032,839 and the total appropriation for special purposes is \$694,450. Frank Alonzo pointed out that the Village does not have to spend the dollar amounts listed in the appropriations ordinance but those amounts are required to be appropriated.

Mayor Andrews noted if there is any shortfall in terms of an appropriation this fiscal year, excess funds can be re-appropriated from prior years to be applied towards those particular appropriation categories. He further noted that the Board is required to approve an appropriations ordinance each year and the budget is merely a tool to use as a guideline for spending and to track revenues and expenditures throughout the fiscal year.

Public Comments

There being no public comments from the audience regarding the appropriations ordinance for fiscal year beginning May 1, 2009 and ending April 30, 2010, Mayor Andrews entertained a motion to approve the appropriations ordinance as presented.

Approval of the Appropriations Ordinance for the Fiscal Year Beginning May 1, 2009 and ending April 30, 2010 (Ordinance #09-9).

Trustee Schnaufer moved, seconded by Trustee Bermier, to approve the appropriations ordinance for fiscal year beginning May 1, 2009 and ending April 30, 2010. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh

Nays: None

Absent: None

Closing of Public Hearing

There being no further discussion regarding the appropriations ordinance, the public hearing was adjourned and the regular Board meeting was convened.

★ MAYOR'S REPORT

Mayor Andrews reported that on Friday, June 19, 2009 a severe storm with high winds and possibly a microburst moved through the area. He noted that a large tree was uprooted in Indian Head Park. As a result the electric service was out in the community for several hours and residents inquired about the cause of the power outage. Mayor Andrews stated that he was informed of the power outage in Indian Head Park. He noted that representatives from Commonwealth Edison sent a report that approximately 245,000 customers were affected by the severe storms and the power was restored to most of their customers within forty-eight hours. Mayor Andrews stated an unscheduled power outage occurred in the Blackhawk Trail area a few days after the storm, Commonwealth Edison shut the power down for about two hours for crews to make repairs to the service and a resident of that area was concerned that notice was not provided so they could make arrangements for a family member that was on oxygen support. Mayor Andrews stated that he spoke with Katie Maier, the government affairs liaison for the Indian Head Park area, to arrange a meeting to discuss the power outages. She mentioned that it is not the practice of Commonwealth Edison to disrupt the power to customers but on occasion it might occur when emergency repairs to the service need to be made. Mayor Andrews stated that on occasion Commonwealth Edison crews may be working in an area where the power does not need to be disturbed to make a minor repair. He noted that sometimes the maintenance crews find other service related issues that may need to be fixed that are more extensive and power may be lost for a short period of time to insure the safety of crews working on the power lines. Mayor Andrews stated that he asked Commonwealth Edison representatives to notify the Indian Head Park Police Department when Commonwealth Edison crews need to disrupt the power to make such repairs. He noted that some residents called the police department during the last outage, the calls are routed to Southwest Central Dispatch and in turn dispatch contacts an officer in the field.

Mayor Andrews stated last fall the Board began the process of analyzing the red light enforcement program and traffic safety at intersections. He noted that Counsel Rich Ramello is reviewing this matter.

Mayor Andrews stated at the June meeting the Board discussed the idea of refinancing the two debt certificates. He noted that in order to move forward with the refinancing process the Board needs to vote to authorize bond counsel to seek bids. Mayor Andrews stated that the Board is not bound to accept any bid that would come back and the bid may either be accepted or rejected at that time.

He noted that the Board will not meet again until the second week of August and he asked the Board if they are available for a special Board meeting on Wednesday, July 29, 2009 at 7:30 p.m. The consensus of the Board decided to hold a special meeting on Wednesday, July 29, 2009 at 7:30 p.m.

★ **CONSENT AGENDA**

Approval of an Ordinance Amending Chapter 15.28 of the Municipal Code Providing Flood Hazard Protection Regulations (Ordinance #09-8).

Mayor Andrews entertained a motion to approve the ordinance presented on the consent agenda. Trustee Coleman moved, seconded by Trustee Anselmo, to approve the consent agenda as presented. Carried by unanimous roll call vote. (6/0/0).

Ayes: Trustees: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh

Nays: None

Absent: None

★ **APPROVAL OF BOARD MEETING MINUTES**

Minutes of the Regular Board Meeting - June 11, 2009

After review of Board meeting minutes, Trustee Coleman moved, seconded by Trustee Schnaufer, to approve the June 11, 2009 regular Board meeting minutes, as amended. Carried by unanimous voice vote (6/0/0).

ZONING AGENDA ITEMS (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE REGARDING ITEMS LISTED ON THE ZONING AGENDA)

Report from the Planning and Zoning Commission Regarding Petition #172 - a Public Hearing Regarding an Amendment to the Ashbrook P.U.D. for the Property at 11145 Ashbrook Lane - Mr. & Mrs. Jim Nix.

A. Motion to Receive Report

Chairman Dennis Schermerhorn reported that the Commission was presented with a petition to amend the Ashbrook Planned Unit Development to allow for the construction of an in-ground swimming pool and safety fence. He noted that the first public hearing on this matter was considered at the April 14, 2009 zoning meeting, a recommendation was provided to the Village Board at the May 14, 2009 meeting and this zoning matter was remanded from the Board back to the Planning and Zoning Commission. Chairman Schermerhorn stated that a continuation of the public hearing was held on Tuesday, July 7, 2009 at 7:30 p.m.

Chairman Schermerhorn stated that a revised plan was presented by Mr. & Mrs. Nix, aided with the inclusion of commentary from their contractor, Barrington Pools, who submitted the petition. He noted that the swimming pool would occupy a large portion of the rear yard, although the revised design is significantly smaller than the original design. Chairman Schermerhorn noted: (1) revised grading and landscaping plans were also included in the submission for consideration, as well as computer generated images of landscaping; (2) the subject property has a retaining pond on its rear boundary; (3) two other homes share a rear boundary with the retaining pond and; (4) twenty-two townhome living units in four buildings also surround the pond. Chairman Schermerhorn pointed out that the first recommendation from the Planning and Zoning Commission to the Board was unanimous in a positive recommendation to accept the petition conditioned upon compliance with screening requirements to meet code and no retaining wall concept. He noted that a new design was presented that addressed screening, but incorporated a modified retaining wall by way of the swimming pool wall being exposed as much as three feet above grade. At the July Commission meeting, the townhome owners were represented by Counsel Jim Stortzum in posing objections to the petition. Chairman Schermerhorn noted there were four principal objections:

- ★ The swimming pool as now designed is not “in-ground” as required by code inasmuch as the rear wall and a portion of the side walls of the pool are exposed above ground. This contention seemed to be supported by a cursory review of the swimming pool section of the Municipal Code, but a specific determination of this issue is outside the purview of the Commission. The Village’s Plan Review Consultant did identify this structure as a retaining wall, therefore a structure within the definition of the code. A structure outside the buildable area requires a variation from setback requirements of the code.
- ★ Noise from pool parties will be objectionable to the townhome owners. The townhome owners, through their attorney, introduced a landscape designer Mauro Crestani as an expert witness to state that the landscape design would not be effective as a sound barrier. Upon questioning, it seemed that only a solid substance approaching twelve-feet (12') would act as an effective sound barrier.
- ★ The Ashbrook Homeowners Association did not “approve the plans” as required by the Association declarations. The Homeowner Association did provide a handwritten note acknowledging that the Association did not object to the pool; however, the Association did not “approve the plans”. The Commission noted the objection, but it was unclear as to the impact to the petition process and what relevance the Zoning Commission should place on the approval process, or lack thereof, of another non-Village entity.
- ★ One of the townhome owners was called to testify that the pool would diminish property values. Upon questioning, this was a personal opinion not supported by training or expertise in property appraisal. Discussion of the impact of the existing pools in the Village (approximately seventeen) on surrounding property values was discussed. The Commission concluded that no professional expertise was available to confirm or refute the testimony.

Chairman Schermerhorn stated that lengthy discussion ensued among the Commissioners and from the audience. There were several significant findings:

1. An alternative to the retaining wall design was initially entertained but not pursued by the petitioner despite Commission direction that a no-retaining wall concept design be employed.
2. The screening/landscaping design presented was, with minor adjustment, appropriate to satisfy the code requirements.

Chairman Schermerhorn stated that after a review of the findings of fact, and discussion among the Commissioners, the Commission voted its recommendation to the Village Board to accept the petition as presented with the only conditions being that:

1. The Village ordinance regarding fence screening must be observed;
2. No retaining wall outside the buildable area should be proposed

Chairman Schermerhorn stated that the recommendation from the Planning and Zoning Commission on this petition was two members in favor, three members opposed and two members were absent.

Mayor Andrews stated that since the Planning and Zoning Commission meeting was held on July 7th, a set of meeting minutes are not yet available for the Board's review on this zoning matter to determine what transpired at that meeting. Trustee Bermier stated that it was mentioned in the June zoning minutes that possibly any drainage issues should be reviewed by the LaGrange Highlands Sanitary District. Chairman Schermerhorn noted that representatives from Barrington Pools provided a letter stating that they would comply with all requirements set forth by the Village. Mayor Andrews stated that he as well as Trustee Anselmo and Trustee Coleman attended the July 7th zoning meeting as observers in the audience. He noted that there were several issues that were raised that needed to be addressed and he asked Chairman Schermerhorn to provide comments. Chairman Schermerhorn stated that opposition was previously stated by Ashbrook Townhome owners in the development to the visual effect of a pool as well as other aspects of the pool plans. He noted that several plans were presented to the Commission and the recommendation to the Board to approve the zoning request was specifically conditioned that there would be no retaining wall because it would be an additional visual impact to those property owners adjacent to the Nix property. Chairman Schermerhorn stated at the July 7th Planning/Zoning Commission meeting a suggestion was made by the Commission that if a retaining wall is still proposed it could possibly be placed close to the house within the buildable area of the property. He noted that the property owner and the pool contractor did not pursue that option. Chairman Schermerhorn stated that at the back of the house instead of coming down two steps it could be three or four steps down to grade and the pool decking area could be lowered to grade rather than three sides of the pool area being above grade. He noted that the landscape plan that was presented was very nice and a significant effort was made by the property owner to provide sufficient screening.

Mayor Andrews stated that in addition to the no retaining wall concept as well as no gap in the landscape screening a question was raised by the Ashbrook Townhome Association attorney that the swimming pool, as proposed, could be considered an above ground pool rather than an in-ground pool.

Chairman Schermerhorn stated that Mr. Stortzum's comments were noted for the record. He noted that after further review of the swimming pool section of the Municipal Code, **Section 15.21.030 (b)**, which states:

"only in-ground outdoor swimming pools shall be permitted in single family residential zoned lots and under no circumstances shall the normal water level in such pools be higher than one-foot (1') above the lowest natural grade level immediately adjacent to the pool and the adjoining area beneath the apron or deck surrounding such pool."

Mayor Andrews stated that a question was also raised by counsel for the Ashbrook Townhome Association with respect to the Ashbrook Estate Homes Single Family Association covenants and the requirement to obtain association approval for the placement of the swimming pool. He asked Chairman Schermerhorn if the Village was provided with input from the Ashbrook Estate Homes Single Family Association regarding the Nix property pool request. Chairman Schermerhorn noted that the original zoning petition filed in April with the Village included a letter, marked as Exhibit 10 dated February 19, 2009, from the property owner with a notation at the bottom signed by an Ashbrook Association member that the request was approved. Mayor Andrews read the following letter dated February 19, 2009 addressed to the Ashbrook Estate Homes Association Board as follows: *"This letter is seeking your approval of an in-ground swimming pool at the home of Jim and Gwen Nix of 11145 Ashbrook Lane. We are following the Ashbrook covenants and the Village of Indian Head Park's guidelines. Thank you for your anticipated approval. Signed by Gwen Nix."* Mayor Andrews noted that a signature approval line was included in the letter and it was signed by Diane Sargent, Ashbrook Board of Directors with an asterisk notation by the signer (*signed with the knowledge that in-ground swimming pools are allowed in the Ashbrook neighborhood per the covenants of our P.U.D. which the Village has a copy of.) Mayor Andrews entertained a motion to accept the report from the Planning and Zoning Commission with regard to Petition #172 and the continuation of the public hearing that was held on Tuesday, July 7, 2009.

Trustee Walsh moved, seconded by Trustee Anselmo, to accept the report from the Planning and Zoning Commission concerning the continuation of the public hearing that was held on Tuesday, July 7, 2009 regarding Zoning Petition #172. Carried by unanimous voice vote (6/0/0).

B. Discussion, Consideration and Possible Vote to Grant Zoning Relief Requested

Mayor Andrews stated that the recommendation to the Village Board from the Planning and Zoning Commission was not to approve the zoning relief requested as presented at the July 7, 2009 zoning meeting (3 members were opposed, 2 were in favor and 2 were absent). Mr. Jim Nix presented an updated letter of approval from the Ashbrook Estate Homes Association, signed by Diane Sargent, as well as a plan showing the location of the proposed pool that was submitted to the Ashbrook Association.

Mr. Nix stated that initially the plan was to place the retaining wall closer to the house but it would pose a problem for access and it might create a safety issue with a steep drop-off if the pool area is lowered.

Mr. Nix further stated that the retaining wall at the back of the lot outside of the pool area would only be about two to three feet above grade and a five-foot fence would be installed on top of the pool decking area that would extend about three-feet above grade with substantial landscaping to screen the pool, fence areas and retaining wall. Mr. Nix stated that he has concerns with lowering the pool to grade level because it would be easier for someone from the outside to scale the fence to access the pool, the current pool design provides a better measure of safety and the retaining wall will not be visible when all of the landscaping is installed.

Mayor Andrews referred to the Ashbrook Estate Homes Single Family Covenants. *Section 4.17, page 10*, which states in part: “*above ground swimming pools are not permitted, in-ground swimming pools are allowed subject to the approval of the committee which shall include but not be limited to the following requirements: (a) the composition must be a material thoroughly tested and accepted by the industry for such construction; (b) location and construction must be approved by the committee; (c) any lighting of the pool or recreation area shall be designed to buffer the surrounding residences of the lighting; (d) all swimming pools must be screened from view.*” Mayor Andrews asked Mr. Nix if the proposed pool plans were reviewed by the Ashbrook Estate Homes Single Family Homeowners Association Board of Directors according to the requirements of the covenants. Mr. Nix stated that his request was sent to the Ashbrook Single Family Association according to the requirements of the covenants and he is not aware if all directors reviewed the plan.

Mr. Nix provided an updated approval letter from the Ashbrook Estate Homes Association to the Village Board. He stated that he would comply with all requirements set forth by the Village. Mayor Andrews noted that the current pool design plan with revised dimensions reflects that the infinity pool edge was removed, the step down to the patio area at the rear of the property was eliminated, the spa area was removed from the plan and the size of the pool dimension is forty-seven feet (47') by fifteen-feet (15'). Mayor Andrews stated that the current pool dimension covers a substantial area of the backyard and by the time the pool and decking is installed, the fence is put in and the landscaping installed almost 100% of the backyard will be utilized and there will be no open area remaining in the rear yard.

Mayor Andrews stated that this is the first request to come before the Board for an in-ground pool in Ashbrook and the Board must review the impact an in-ground pool might have on an interior lot in a Planned Unit Development with 100% of the rear yard to be utilized for a pool, deck, fence and landscaping. Todd Brown, from Barrington Pools, stated that the landscaping will take up a substantial portion of the rear yard to comply with the screening requirements of the Village and also to comply with the safety fence regulations around a certain periphery of the pool area. Mr. Nix stated that there is approximately one-hundred feet distance between the properties from the patio area in his yard to the neighbors deck area.

Trustee Coleman stated that the revised drawing dated June 23, 2009 shows a side yard distance from the lot line to the pool deck area of about twelve-feet (12'). She asked Mr. Nix what is the distance between the lot lines.

Mr. Nix stated that there would be a distance of about fifty-feet (50') or sixty-feet (60') between the lot lines. Trustee Coleman stated that dimensions were not previously shown on the design plans until the June 23rd plans. She noted that although some elements of the pool design were removed from the plan, the pool appears to be of the same dimensions. Mr. Nix stated that the pool area was shortened by about one or two feet, the deck area was reduced by about two feet. Trustee Coleman stated that in some areas the pool area was widened when the spa area was removed. Todd Brown stated that the pool did not become larger when the spa was removed because it was part of the pool design plan and the dimension is the same.

Mayor Andrews stated that Steve Hopkins from Barrington Pools has been attending both the zoning and Board meetings with regard to this zoning matter. He mentioned to Mr. Brown, who is in attendance from Barrington Pools, that it has been difficult for Village representatives to review the plans throughout the process due to plans being submitted without dimensions of the pool structure or other plan details. Mayor Andrews stated that if Barrington Pools plans to do business in town, plans to be submitted for review need to include dimensions of the pool as well as other details regarding the safety fence and landscaping. He noted that many of the plans submitted for review were lacking the necessary information to complete reviews, a meeting was held with Steve Hopkins from Barrington Pools and Village staff. It was communicated at that time to Barrington Pools that more information was needed such as cross sections, height above grade, dimensions of the pool to complete the reviews. Mayor Andrews stated that sufficient information has not been provided by Barrington Pools to make a fair and informed decision on this matter.

Jim Stortzum, counsel for the Ashbrook Townhome Association, stated that many of the issues that have come up this evening before the Board have been the same issues raised by the townhome owners. He noted that the Ashbrook Townhome Association opposes the in-ground pool as proposed.

Mayor Andrews asked Mr. Stortzum if the objection is to this particular pool design plan not to any pool that might be constructed on Mr. Nix's property. Mr. Stortzum stated that the Ashbrook Townhome association is only opposed to the current pool design plan presented.

Ann Olsen, of 6209 Edgebrook Lane, inquired about the dimension of the entire lot at 11145 Ashbrook Lane. Trustee Coleman stated that the Plat of Survey for the property at 11145 Ashbrook Lane shows a lot dimension at the back property line of 64.10' in width, the depth on the west side is 132.88', 131' in depth on the east side and the front lot line width is about 89.47'. Ms. Olsen stated that if the pool is forty-seven feet (47') wide, and the width is sixty-four feet (64') at the back of the property where the pool will be installed there is not much room left.

Mayor Andrews stated that the Board has not had an opportunity to review the updated plans and the minutes from the July 7, 2009 meeting are not yet available for review. Mayor Andrews stated that the recommendation to the Board is continue the matter to the next Board meeting to allow an opportunity to resolve some of the questions that were raised and also time for additional reviews to be thorough and fair to all parties involved in the process.

Mayor Andrews entertained a motion to continue further consideration of the petition for a swimming pool at 11145 Ashbrook Lane to the Wednesday, July 29, 2009 special meeting.

Trustee Walsh moved, seconded by Trustee Bailey, to continue consideration of the zoning petition for an amendment to the Ashbrook Planned Unit Development for an in-ground swimming pool at 11145 Ashbrook Lane to the Wednesday, July 29, 2009 special Board meeting. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh

Nays: None

Absent: None

AGENDA ITEMS

1. Discussion and Possible Vote Regarding the 2009/2010 Budget

Mayor Andrews stated that the 2009/2010 Budget was discussed at the last Board meeting. He noted that input from the Board was requested at the last meeting and one suggestion was made to possibly eliminate the leaf program due to a budget deficit. Mayor Andrews stated that there are several options including moving forward with a budget that has a deficit or to research potential possible sources of revenue. He noted that counsel is reviewing the red light camera safety program which has a revenue component. Mayor Andrews stated he has not yet had an opportunity to review with Trustee Schnaufer any budget suggestions that were provided as well as reviewing the budget presented with Finance Director Dave Brink.

Mayor Andrews entertained a motion to continue the budget discussions and possible vote to the regular Board meeting in August.

Trustee Coleman moved, seconded by Trustee Bermier, to continue the budget discussions and possible vote to the August 12, 2009 Board meeting.

Carried by unanimous voice vote (6/0/0). Trustee Coleman stated that Dartmoor Homes generously paid an impact fee to the Village of Indian Head Park over the past four years, there is certainly no legal obligation for them to pay the remaining impact fee in light of their financial situation and at some point additional sources of revenues are needed. Trustee Schnauffer pointed out that Dartmoor Homes also paid for a sidewalk to be installed on the Indian Head Park side along Plainfield Road across from Timber Trails Development.

2. *50th Anniversary Celebration (discussion and possible vote may take place)*

Mayor Andrews reported that letters were sent to various friends of Indian Head Park including businesses in the community, organizations that provide services to the Village, local vendors and associations requesting financial assistance towards the Village's 50th Anniversary celebration.

Mayor Andrews stated that he is cognizant of the budget, a 50th anniversary of a Village is not something to be overlooked and the Village will celebrate that date. Mayor Andrews further stated that he also requested support from the Township of Lyons who has always been generous to the Village of Indian Head Park.

Trustee Walsh confirmed the attendance of representatives from the Cook County Sheriff's Department who will provide a presentation with the canine unit at about 5:00 p.m. Mayor Andrews stated that the Jesse White Tumblers will also perform at about 4:00 p.m. at Blackhawk Park.

Trustee Coleman reported that the West Suburban Concert Band and Blend Acoustic Duo will also provide musical entertainment. Mayor Andrews stated that he has been working with Trustee Coleman on 50th anniversary banners. Trustee Coleman stated that blue and gold banners will be displayed throughout the community light posts at the main entrances in the community as well as ground banners to be placed at various locations. Trustee Coleman stated that Bannerville U.S.A. in Burr Ridge did a nice job on the banners. Trustee Coleman stated that the light pole bracket standards are being rented from the banner company.

Trustee Bailey stated that he obtained preliminary cost estimates from Buona Beef to provide food for the event as well as the amount of beverages that would be needed from Burke Beverage. Trustee Bailey stated that beer kegs are approximately \$72.00 each and each barrel will serve about 120 cups of beer. A cooler and tap will also be provided at no cost. He noted that a special event liquor license is required to be obtained through the Illinois Liquor Control Commission before beer can be dispensed.

Trustee Bailey stated that he spoke with Don Buonavolante at Buona Beef who suggested that beef sandwiches would be easier to serve, they would be individually wrapped and an exact cost could be provided once it is determined how many sandwiches would be needed. Also, soda and chips could be purchased from Sam's Club at a reduced cost or possibly a donation from a local business.

Trustee Coleman suggested that possibly a nominal fee be established to sell the beer and sandwiches. Chief Alonzo stated that generally at larger events a beer garden area is designated but it would not be necessary for the Village's event.

Mayor Andrews stated that he will check into the possibility of receiving a donation from a local business for the soda and chips. He noted that donations are still being received and those funds will help to pay for the cost of the event. Mayor Andrews stated that \$3,000 for food and beverages is not an unreasonable amount for a budget. Trustee Bailey stated that there is not a lot of lead time needed to make the final arrangements for food and beverages and Buona Beef as well as Burke Beverage will work with the Village. Mayor Andrews asked Trustee Bailey to determine the cost of foods and beverages for approximately 350 to 400 people. Trustee Bailey stated that he would report back to the Board once the information is received from Buona Beef.

Trustee Bermier stated that someone will have to hand out the food and beverages. Mayor Andrews stated that possibly Buona Beef could provide staff to hand out the sandwiches or volunteers would be needed.

Mayor Andrews asked Village Clerk Joe Consolo if he could make arrangements for the Medinah Shriner Clowns to be present at the Village's 50th Anniversary celebration. Joe Consolo stated that he would check into the cost for the Medinah Shriner Clowns and would report back to the Board.

Mayor Andrews stated that local mayors and various Village officials will also be invited to attend the Village's 50th anniversary celebration. He noted that the July issue of Smoke Signals will be printed by the end of July, the issue will be dedicated to the Village's 50th anniversary celebration and a flier insert will also be included detailing the events.

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE BY INDIAN HEAD PARK RESIDENTS ONLY

Karen Shaver, of 6473 Blackhawk Trail, stated that she was in attendance at the last Board meeting and noted that she started having drainage problems on her property in 2007 and contacted the Village to review the situation. She noted that her neighbor built a forty-five foot (45') berm in length constructed of logs, dirt and rocks along the property boundary, the berm is two-feet in height in some locations and the structure is causing substantial standing water for five to seven days in her backyard during heavy rains that is causing flooding in her basement.

Karen Shaver stated that on May 27, 2009 she turned in a request for a stormwater review to the Village including about twenty pictures showing the extent of the problem and the information was sent to Superintendent Ed Santen for review. She added that a Freedom of Information request was submitted to the Village requesting drainage information and the Village's counsel responded to the request for information stating specific drainage laws that are in place. Karen Shaver stated that Village counsel mentioned Illinois Drainage Law which states in part: *"land must receive surface water flowing naturally from higher ground. A land owner has no right to obstruct the flow of surface water."* She added that a considerable amount of money has been spent on draitile reinforcement and basement finishing and she asked when this issue will be resolved with the neighboring property owner to alleviate her drainage issues. Frank Alonzo stated that he previously asked Dave Vandervelde, the Village engineer, to visit the property to provide a report. Frank Alonzo further stated that Dave Vandervelde visited the property and a telephone call and message was left at Ms. Shaver's residence on Tuesday to return the call to the Village. Frank Alonzo stated that he will respond to the neighbor but would like to meet with Karen Shaver on her property before that response is sent to the neighbor on how the issue should be resolved. Mayor Andrews stated that he received a briefing on this subject from Frank Alonzo and the issues will be addressed.

ADJOURNMENT

There being no further business to discuss, Trustee Bailey moved, seconded by Trustee Schnaufer, to adjourn the regular Board meeting at 9:20 p.m. Carried by unanimous voice vote (6/0/0).

Respectfully Submitted,
Kathy Leach, Deputy Clerk/Recording Secretary